



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chalana et al.

Attorney Docket No. DXUC-1-1020

Serial No.: 10/701,955

Group Art Unit: —

Filing Date: November 5, 2003

Examiner: —

Title: 3D ULTRASOUND-BASED INSTRUMENT FOR NON-INVASIVE  
MEASUREMENT OF AMNIOTIC FLUID VOLUME

COMBINED DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION

As the inventors of the invention disclosed in the patent application entitled 3D  
ULTRASOUND-BASED INSTRUMENT FOR NON-INVASIVE MEASUREMENT OF  
AMNIOTIC FLUID VOLUME, we each hereby declare as follows:

Our residences, post office addresses and citizenship are:

Vikram Chalana  
15302 34th Dr. SE,  
Mill Creek, WA 98027  
US

Stephen Dudycha  
8926 NE 178th St  
Bothell, WA 98011  
Canada

Gerald McMorro  
11810 NE 102nd Place  
Kirkland, WA 98033  
US

I believe that we are the original, first and sole inventors of the subject matter that is  
claimed and for which a patent is sought on the invention entitled 3D ULTRASOUND-BASED  
INSTRUMENT FOR NON-INVASIVE MEASUREMENT OF AMNIOTIC FLUID VOLUME,  
the specification of which is attached to this declaration.

I have reviewed and understand the contents of the above-identified patent application,  
including the claims.

I acknowledge the duty to disclose information, which is material to the examination of  
this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any  
foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international  
application which designated at least one country other than the United States of America, for the

25315  
CUSTOMER NUMBER

- 1 -

DXUC-1-1020DPOA.doc

BLACK LOWE & GRAHAM <sup>PLC</sup>

701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206 391 3300 • F. 206 391 3301

application(s) listed below. I have also identified below any foreign application(s) for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed: PCT/US03/24368 filed August 1, 2003 and PCT/US03/14785 filed May 9, 2003.

I hereby claim the benefit under 35 U.S.C. 119(e) of the following United States provisional applications: U.S. Provisional Application No. 60/423,881 filed November 5, 2002, U.S. Provisional Application No. 60,400,624 filed August 2, 2002, and U.S. Provisional Application No. 60/470,525 filed May 12, 2003.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information that is material to patentability as defined 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: U.S. Application Serial No. 10/165,556 filed June 7, 2002, U.S. Application Serial No. 10/633,286 filed July 7, 2003, and U.S. Application Serial No. 10/433,126 filed May 20, 2003.


I hereby appoint the following attorneys and agents to prosecute this application and to transact all related business in the Patent and Trademark Office or the Courts: Richard T. Black, Washington State Bar No. 20,899 and PTO Reg. No. 40,514; David A. Lowe, Washington State Bar No. 24,453 and PTO Reg. No. 39,281; Lawrence D. Graham, Washington State Bar No. 25,402 and PTO Reg. No. 40,001; Mark L. Lorbiecki, Washington State Bar No. 16,796 and PTO Reg. No. 45,643; Michael S. Smith PTO Reg. No. 39,563; Mark S. Beaufait, Washington State Bar No. 13,419 and PTO Reg. No. 48,529; Robert R. Richardson, Washington State Bar No. 25,953 and PTO Reg. No. 40,143; Mark D. Byrne, PTO Reg. No. 50,125; H. Albert Richardson, Washington State Bar No. 13,197 and PTO Reg. No. 27,701, Frank J. Bozzo, PTO

25315

CUSTOMER NUMBER

- 2 -

DXUC-1-1020DPOA.doc

BLACK LOWE & GRAHAM <sup>P.L.L.C.</sup>

701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206 391 2200 • F: 206 391 2201

Reg. No. 36,756; Dale C. Barr, Washington State Bar No. 24,696 and PTO Reg. No. 40,498; Darren J. Jones, Washington State Bar No. 21,953 and PTO Reg. No. 36,175 and Paul C. Cullom, Jr., Washington State Bar No. 13,105 and PTO Reg. No. 25,580.

Direct all communications to:

Mark D. Byrne  
BLACK LOWE & GRAHAM<sup>PLLC</sup>  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
Direct Dial: 206.957.2481  
Facsimile: 206.381.3301  
Email: byrne@blacklaw.com

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12/17/2003  
Date

Vikram Chalana  
Vikram Chalana

12/15/2003  
Date

Stephen Dudycha  
Stephen Dudycha

12/10/2003  
Date

Gerald McMorrow  
Gerald McMorrow

25315  
CUSTOMER NUMBER

- 3 -

DXUC-1-1020DPOA.doc

BLACK LOWE & GRAHAM<sup>PLLC</sup>

701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.957.2481 • F 206.381.3301